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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,938	03/31/2004	Avancesh Dubey	11884/413901	4923
23838 7590 03/13/2009 KENYON & KENYON LLP 1500 K STREET N.W. SUITE 700 WASHINGTON, DC 20005				
EXAMINER WANG, BEN C				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/812,938

Applicant(s)

DUBEY ET AL.

Examiner

BEN C. WANG

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 30, 2008 has been entered.

2. Applicant's amendment dated December 30, 2008, responding to the Office action mailed September 30, 2008 provided in the rejection of claims 1-15, wherein claims 1-10 have been amended.

Claims 1-15 remain pending in the application and which have been fully considered by the examiner.

Applicant's arguments with respect to claims currently amended have been fully considered but are moot in view of the new grounds of rejection – see *Blevins* - art made of record, as applied hereto.

Claim Rejections – 35 USC § 102(e)

The following is quotation of 35 U.S.C. 102(e) which form the basis for all obviousness rejections set forth in this office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Mike Blevins (Pub. No. US 2004/0221261 A1) (hereinafter 'Blevins' - art made of record)

4. **As to claim 1** (Currently Amended), Blevins discloses a method comprising:
- querying a user to identify, via configuration software of a computer system, activities that make up a business process (e.g., Fig. 1, elements 122 – Template Store (Template Definition); 124 – Instance Store; [0024] - ... a user can create custom clients to manage business processes ... A BPM (Business Process Management) API can be used to create custom configuration, design, run-time management, and monitoring clients ...; [0026] - ... A user can create templates and template definitions ... using a studio or custom design client; [0073] - ... Using plug-ins, the design or run-time behavior of BPM workflow components can be modified, including workflow components such as Start, Event, and Done nodes; task actions; properties of workflow templates and template definitions; functions; message types; and variable types);

for each identified business process activity, querying the user to provide process control elements that define a behavior of the business process activity with respect to a business object to be acted on by the activity (e.g., [0073] - ... Using plug-ins, the design or run-time behavior of BPM workflow components can be modified ...

task actions; properties of workflow templates and template definitions ...), for said process control elements comprising:

- a status element, which represents a progress level within the business process that the data object has reached by arriving at the activity (e.g., [0060] – A BPM API can also enable users to perform monitoring tasks ... task status, and generate statistical reports based on workflow, task, user or role, and date; [0064] - ... The progress of transaction after the initial instantiation can depend on how the template definition is defined ... according to the built-in processing rules for each node type);
- a user interface element, which defines the scope within which users are allowed to operate on the data object for the activity (e.g., [0131] - ... A user category can specify an individual assigned to a role who has the necessary permission to perform a particular task in the workflow ... Roles can allow groups of users to execute manual tasks according to a generic business role within the organization);
- a plausibility check element, which verifies that the data object sufficiently meets a set of criteria to proceed past the activity (e.g., [0064] - ... The progress of the transaction Depend on how the template definition is defined ... according to the built-in processing rules ...; [0119] - The content type can default to text/XML, indicating that the data is in text format and obeys the rules of XML ...; [0133] - ... include business rules,

such as schedules and workflow routings ... A user can also create routing specifications that redirect activities to different users or roles ...);

- a release element, which signals that the data object is ready to proceed past the activity in the business process (e.g., [0047] - ... A user can control the stages in the lifecycle of a task, and can get class descriptors, tasks ...; [0052] - ... A user can also control the stages in the lifecycle of a task being executed, respond to notifications, set task properties ...), and
- an authorization element, which specifies a set of users that is allowed to operate on the data object for the activity (e.g., [0131] - ... A Role category can specify a common area of responsibility, ability, or authorization level that is shared by a group of individuals who belong to a particular organization ...);
- storing the defined business process and activity behaviors in configuration data of the computer system (e.g., Fig. 1, elements 120 – Database Store; 122 – Template Store; 124 – Instance Store); and
- dynamically generate the business process from the activities and the process control elements provided by the user, to operate on business objects managed by the computer system (e.g., [0054] – A Client Common Package can provide common client-side classes used by a BPM client. This package can include classes for connecting to the process engine, facilitating client GUI layout and development and generating dialog boxes ...; [0055])

5. **As to claim 2** (Currently Amended) (incorporating the rejection in claim 1), Blevins discloses the method further comprising performing a business process activity in accordance with its defined behavior (e.g., [0073] - ... Using plug-ins, the design or run-time behavior of BPM workflow components can be modified ...; [0041])

6. **As to claim 3** (Currently Amended), Blevins discloses a computer system comprising:

- a processor;

a memory coupled to the processor and storing instructions adapted to be executed by the processor, the instructions implementing a method comprising:

- querying a user to identify, via configuration software of the computer system, activities that make up business process (e.g., Fig. 1, elements 122 – Template Store (Template Definition); 124 – Instance Store; [0024] - ... a user can create custom clients to manage business processes ... A BPM (Business Process Management) API can be used to create custom configuration, design, run-time management, and monitoring clients ...; [0026] - ... A user can create templates and template definitions ... using a studio or custom design client; [0073] - ... Using plug-ins, the design or run-time behavior of BPM workflow components can be modified, including workflow components such as Start, Event, and Done nodes; task actions; properties of workflow templates and template definitions; functions; message types; and variable types);

- for each identified business process activity, querying the user to provide process control elements that define a behavior of the business process activity with respect to a business object to be acted on by the activity (e.g., [0073] - ... Using plug-ins, the design or run-time behavior of BPM workflow components can be modified ... task actions; properties of workflow templates and template definitions ...), said process control elements comprising:
 - a status element, which represents a progress level within the business process that the data object has reached by arriving at the activity (e.g., [0060] – A BPM API can also enable users to perform monitoring tasks ... task status, and generate statistical reports based on workflow, task, user or role, and date; [0064] - ... The progress of transaction after the initial instantiation can depend on how the template definition is defined ... according to the built-in processing rules for each node type);
 - a user interface element, which defines the scope within which users are allowed to operate on the data object for the activity (e.g., [0131] - ... A user category can specify an individual assigned to a role who has the necessary permission to perform a particular task in the workflow ... Roles can allow groups of users to execute manual tasks according to a generic business role within the organization);
 - a plausibility check element, which verifies that the data object sufficiently meets a set of criteria to proceed past the activity (e.g., [0064] - ... The progress of the transaction Depend on how the template definition is

defined ... according to the built-in processing rules ...; [0119] - The content type can default to text/XML, indicating that the data is in text format and obeys the rules of XML ...; [0133] - ... include business rules, such as schedules and workflow routings ... A user can also create routing specifications that redirect activities to different users or roles ...);

- a release element, which signals that the data object is ready to proceed past the activity in the business process (e.g., [0047] - ... A user can control the stages in the lifecycle of a task, and can get class descriptors, tasks ...; [0052] - ... A user can also control the stages in the lifecycle of a task being executed, respond to notifications, set task properties ...), and
- an authorization element, which specifies a set of users that is allowed to operate on the data object for the activity (e.g., [0131] - ... A Role category can specify a common area of responsibility, ability, or authorization level that is shared by a group of individuals who belong to a particular organization ...);
- storing the defined business process and activity behaviors in configuration data of the computer system (e.g., Fig. 1, elements 120 – Database Store; 122 – Template Store; 124 – Instance Store); and
- dynamically generating the business process from the activities and the process control elements provided by the user, to operate on business objects managed by the computer system (e.g., [0054] – A Client Common Package can provide common client-side classes used by a BPM client. This

package can include classes for connecting to the process engine, facilitating client GUI layout and development and generating dialog boxes ...; [0055])

7. **As to claim 4** (Currently Amended) (incorporating the rejection in claim 3), Blevins discloses the system the method further comprising performing a business process activity in accordance with its defined behavior stored in the configuration data (e.g., [0073] - ... Using plug-ins, the design or run-time behavior of BPM workflow components can be modified ...; [0041])
8. **As to claim 5** (Currently Amended) (incorporating the rejection in claim 3), Blevins discloses the computer system the method further comprising associating configuration data values with retrieval parameters (e.g., [0112] – Certain parameters may require a user to specify values for the plug-in notification registration method ...)
9. **As to claim 6** (Currently Amended) (incorporating the rejection in claim 5), Blevins discloses the computer system the method further comprising reading the configuration data values based on the retrieval parameters (e.g., [0112] – Certain parameters may require a user to specify values for the plug-in notification registration method ...), and controlling a business process activity behavior of based on the read configuration data values (e.g., [0012] - ... The plug-in API can consist of components such as session beans ... An integration data store can be used to store plug-in

configuration information; [0040] - ... a read-writer implementation used during configuration and design, and a read-only implementation used during run time)

10. **As to claim 7** (Currently Amended), Blevins discloses a machine-readable medium storing computer-executable instructions adapted to be executed by a processor to perform a method comprising:

- querying a user to identify, via configuration software of a computer system, activities that make up a business process comprises (e.g., Fig. 1, elements 122 – Template Store (Template Definition); 124 – Instance Store; [0024] - ... a user can create custom clients to manage business processes ... A BPM (Business Process Management) API can be used to create custom configuration, design, run-time management, and monitoring clients ...; [0026] - ... A user can create templates and template definitions ... using a studio or custom design client; [0073] - ... Using plug-ins, the design or run-time behavior of BPM workflow components can be modified, including workflow components such as Start, Event, and Done nodes; task actions; properties of workflow templates and template definitions; functions; message types; and variable types);
- for each identified business process activity, querying the user to provide process control elements that define a behavior of the business process activity with respect to a business object to be acted on by the activity (e.g., [0073] - ... Using plug-ins, the design or run-time behavior of BPM workflow

components can be modified ... task actions; properties of workflow templates and template definitions ...), said process control elements comprising:

- a status element, which represents a progress level within the business process that the data object has reached by arriving at the activity (e.g., [0060] – A BPM API can also enable users to perform monitoring tasks ... task status, and generate statistical reports based on workflow, task, user or role, and date; [0064] - ... The progress of transaction after the initial instantiation can depend on how the template definition is defined ... according to the built-in processing rules for each node type);
- a user interface element, which defines the scope within which users are allowed to operate on the data object for the activity (e.g., [0131] - ... A user category can specify an individual assigned to a role who has the necessary permission to perform a particular task in the workflow ... Roles can allow groups of users to execute manual tasks according to a generic business role within the organization);
- a plausibility check element, which verifies that the data object sufficiently meets a set of criteria to proceed past the activity (e.g., [0064] - ... The progress of the transaction Depend on how the template definition is defined ... according to the built-in processing rules ...; [0119] - The content type can default to text/XML,

indicating that the data is in text format and obeys the rules of XML ...;

[0133] - ... include business rules, such as schedules and workflow routings ... A user can also create routing specifications that redirect activities to different users or roles ...);

- a release element, which signals that the data object is ready to proceed past the activity in the business process (e.g., [0047] - ... A user can control the stages in the lifecycle of a task, and can get class descriptors, tasks ...; [0052] - ... A user can also control the stages in the lifecycle of a task being executed, respond to notifications, set task properties ...); and
- an authorization element, which specifies a set of users that is allowed to operate on the data object for the activity (e.g., [0131] - ... A Role category can specify a common area of responsibility, ability, or authorization level that is shared by a group of individuals who belong to a particular organization ...);
- storing defined business process and activity behaviors in configuration data of the computer system (e.g., Fig. 1, elements 120 – Database Store; 122 – Template Store; 124 – Instance Store); and
- dynamically generating the business process from the activities and the process control elements provided by the user, to operate on business objects managed by the computer system (e.g., [0054] – A Client Common Package can provide common client-side classes used by a BPM client. This

package can include classes for connecting to the process engine, facilitating client GUI layout and development and generating dialog boxes ...; [0055])

11. **As to claim 8** (Currently Amended) (incorporating the rejection in claim 7), please refer to claim 5 as set forth above accordingly.

12. **As to claim 9** (Currently Amended), Blevins discloses a method comprising: reading configuration data to determine a behavior of a user-identified activity of a business process with respect to a business object, to be acted on by the activity, wherein user-provided process control elements define the behavior stored in the configuration data said process control elements (e.g., Fig. 1, elements 122 – Template Store (Template Definition); 124 – Instance Store; [0024] - ... a user can create custom clients to manage business processes ... A BPM (Business Process Management) API can be used to create custom configuration, design, run-time management, and monitoring clients ...; [0026] - ... A user can create templates and template definitions ... using a studio or custom design client; [0073] - ... Using plug-ins, the design or run-time behavior of BPM workflow components can be modified, including workflow components such as Start, Event, and Done nodes; task actions; properties of workflow templates and template definitions; functions; message types; and variable types) comprising:

- a status element, which represents a progress level within the business process that the data object has reached by arriving at the activity (e.g., [0060] – A BPM API can also enable users to perform monitoring tasks ...

task status, and generate statistical reports based on workflow, task, user or role, and date; [0064] - ... The progress of transaction after the initial instantiation can depend on how the template definition is defined ... according to the built-in processing rules for each node type);

- a user interface element, which defines the scope within which users are allowed to operate on the data object for the activity (e.g., [0131] - ... A user category can specify an individual assigned to a role who has the necessary permission to perform a particular task in the workflow ... Roles can allow groups of users to execute manual tasks according to a generic business role within the organization)
- a plausibility check element, which verifies that the data object sufficiently meets a set of criteria to proceed past the activity (e.g., [0064] - ... The progress of the transaction Depend on how the template definition is defined ... according to the built-in processing rules ...; [0119] - The content type can default to text/XML, indicating that the data is in text format and obeys the rules of XML ...; [0133] - ... include business rules, such as schedules and workflow routings ... A user can also create routing specifications that redirect activities to different users or roles ...);
- a release element, which signals that the data object is ready to proceed past the activity in the business process (e.g., [0047] - ... A user can control the stages in the lifecycle of a task, and can get class descriptors,

tasks ...; [0052] - ... A user can also control the stages in the lifecycle of a task being executed, respond to notifications, set task properties ...), and

- an authorization element, which specifies a set of users that is allowed to operate on the data object for the activity (e.g., [0131] - ... A Role category can specify a common area of responsibility, ability, or authorization level that is shared by a group of individuals who belong to a particular organization ...);

performing the business process activity in accordance with the behavior stored in the configuration data (e.g., Fig. 1, elements 120 – Database Store; 122 – Template Store; 124 – Instance Store)

13. **As to claim 10** (Currently Amended) (incorporating the rejection in claim 9), Blevins discloses the method configuration data values are read based on retrieval parameters associated with the configuration data values (e.g., [0012] - ... The plug-in API can consist of components such as session beans ... An integration data store can be used to store plug-in configuration information; [0040] - ... a read-writer implementation used during configuration and design, and a read-only implementation used during run time)

14. **As to claim 11** (Previously Presented) (incorporating the rejection in claim 9), Blevins discloses the method wherein the status element relates to a stage of the business process (e.g., [0047] - ... A user can control the stages in the lifecycle of a

task, and can get class descriptors, tasks ...; [0052] - ... A user can also control the stages in the lifecycle of a task being executed, respond to notifications, set task properties ...)

15. **As to claim 12** (Original) (incorporating the rejection in claim 9), Blevins discloses the method wherein the user interface element relates to at least one of an appearance and operability of a user interface for handling the business object (e.g., [0131] - ... A user category can specify an individual assigned to a role who has the necessary permission to perform a particular task in the workflow ... Roles can allow groups of users to execute manual tasks according to a generic business role within the organization)

16. **As to claim 13** (Original) (incorporating the rejection in claim 9), Blevins discloses the method wherein the plausibility check element relates to plausibility checks on data relating to the business object (e.g., [0133] - ... include business rules, such as schedules and workflow routings ... A user can also create routing specifications that redirect activities to different users or roles ...)

17. **As to claim 14** (Original) (incorporating the rejection in claim 9), Blevins discloses the method wherein the release element relates to an approval for the business object to be acted on by a subsequent activity (e.g., [0047] - ... A user can control the stages in the lifecycle of a task, and can get class descriptors, tasks ...;

[0052] - ... A user can also control the stages in the lifecycle of a task being executed, respond to notifications, set task properties ...)

18. **As to claim 15** (Previously Presented) (incorporating the rejection in claim 9), Blevins discloses the method wherein the authorization element relates to an authorization to act on the business object (e.g., [0131] - ... A Role category can specify a common area of responsibility, ability, or authorization level that is shared by a group of individuals who belong to a particular organization ...)

Conclusion

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ben C. Wang whose telephone number is 571-270-1240. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ben C Wang/
Ben C. Wang
Examiner, Art Unit 2192

/Tuan Q. Dam/
Supervisory Patent Examiner, Art Unit 2192